



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING **SUMMARY**
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
TUESDAY, FEBRUARY 16, 2010
5:30 P.M. OR IMMEDIATELY FOLLOWING THE
5:00 P.M. REGULAR WORKSESSION**

CALL TO ORDER 5:30 PM

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL for submission of Speaker Request Forms

PRESENTATIONS

**PRESENTATIONS
MADE**

- Community Development Block Grant recognition by Carver Elementary School

I. CALL TO THE PUBLIC - **None**

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

II. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

A. Approval of minutes of the following City Council meeting(s):

APPROVED 1. Special Worksession December 15, 2009

APPROVED 2. Regular City Council Meeting December 16, 2009

B. Approval of Staff Recommendations:

Page Item

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)

APPROVED 2. **Special Event Liquor License: United Way of Yuma County**

Approve a Special Event Liquor License application submitted by Maria Yolanda Renteria, on behalf of the United Way of Yuma County, for a Community Visibility and Charitable Fundraiser Music Fest '10. The event will be held March 20, 2010 from 12:00 noon to 6:00 p.m., at the West Wetlands Park, 2200 W. Water Street. (SP10-01) (City Administration/City Clerk)

APPROVED 3. **Special Event Liquor License: Caballeros de Yuma, Inc.**

Approve a Special Event Liquor License application submitted by Barry Olsen, on behalf of the Caballeros de Yuma, Inc., for the annual Midnight at the Oasis Festival. The event will be held at 3500 S. Avenue A, Ray Kroc Complex, March 5, 2010 from 3:00 p.m. to 11:30 p.m. and March 6, 2010 from 8:00 a.m. to 12 midnight. (SP10-03) (City Administration/City Clerk)

APPROVED 4. Grant Award: Arizona Criminal Justice Commission DUI Abatement Grant

Authorize the City Administrator and City staff to process and execute all forms and documents pertaining to the Arizona Criminal Justice Commission DUI Abatement Program Grant Agreement. (Police/Patrol)

APPROVED 5. Intergovernmental Agreement: Arizona Department of Public Safety Gang and Immigration Intelligence Team Enforcement Mission State Gang Task Force

Authorize the City Administrator to process and execute all forms and documents pertaining to the Arizona Department of Public Safety (DPS) Gang and Immigration Intelligence Team Enforcement Mission (GIITEM) State Gang Task Force agreement. (Police/Investigations)

APPROVED 6. Amended Final Plat: Tuscany Medical and Professional Plaza Subdivision.

Approve the amended final plat of the Tuscany Medical and Professional Plaza Subdivision. The property is located at the southeast corner of Avenue B and 28th Street. The applicant is Edais Engineering, on behalf of Territorial Real Estate, LLC. (S2006-002R) (Community Development/Community Planning)

APPROVED 7. Cooperative Purchase Agreement: Slurry Seal Operations

Authorize the purchase of Slurry Seal Operations for a one-year contract, on an as-needed basis, utilizing the cooperative purchase agreement originated by Yuma County at an estimated annual cost of \$280,000.00 to: Southwest Slurry Seal, Inc. Phoenix, Arizona. (Public Works/Streets - Bid #2010000324)

SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:

M/_____ S/_____ VV/_____

III. RESOLUTION CONSENT AGENDA

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

ADOPTED A. Resolution R2010-06 Special Election: Arizona Public Service Company Franchise and Southwest Gas Franchise Extension

Delete all references to an all mail ballot Special Election on May 18, 2010 previously called by Resolution R2010-02 for Arizona Public Service Company and Resolution R2010-03 for Southwest Gas Corporation. (City Administration/City Clerk)

SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

IV. ADOPTION OF ORDINANCES CONSENT AGENDA

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

ADOPTED A. Ordinance O2010-11 Zoning Code Text Amendment: Allow several commercial uses as permitted uses in the Light Industrial (L-I) District

Approve the Zoning Code Text Amendment. Amend Title 15, Chapter 154, Section 331, Permitted Uses in the Light Industrial (L-I) District, to allow several commercial uses as permitted uses. The applicant is Wayne C. Benesch, on behalf of Ingold Family Investments, LLC. (Z2009-021) (Community Development/Community Planning)

SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

V. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

INTRODUCED A. Ordinance O2010-13 Amendment: Citywide Development Fees

Amend City Code, Title 15, Chapter 157, Sections 157-001 through 157-004 to add a definition of "construction permit," amend the definition of "new development," and conform the remainder of Chapter 157 in accordance with the changes. (City Engineering/Administration)

INTRODUCED B. Ordinance O2010-15 Rezoning of Property: 2951 S. 21st Drive, Yuma AZ (Yuma County Main Library)

Rezone property from the Low Density Residential (R-1-6) District to the Low Density Residential / Public Overlay (R-1-6/P) District. The applicant is the City of Yuma on behalf of the Yuma County Library District. (Z2009-023) (Community Development/Community Planning)

INTRODUCED C. Ordinance O2010-16 Right-of-Way Acquisition: 12th Street - Lots 263 and 264 of Magnolia Village Unit No. 3

Authorize the acquisition of Lots 263 and 264 of Magnolia Village Unit No. 3 for 12th Street widening and reconstruction, between Avenue B and Avenue A. (City Engineering/Administration)

INTRODUCED D. Ordinance O2010-17 Right-of-Way Acquisition: 12th Street - Lot 300 of Magnolia Village Unit No. 3

Authorize the acquisition of a portion of Lot 300 of Magnolia Village Unit No. 3 for 12th Street widening and reconstruction, between Avenue B and Avenue A. (City Engineering/Administration)

INTRODUCED E. Ordinance O2010-18 Right-of-Way Acquisition: Avenue A

Authorize the acquisition of an expanded drainage easement at 1910 South Avenue A for street reconstruction and widening of Avenue A, between 16th Street and 24th Street, by amending Ordinance No. O2002-26. (City Engineering/Administration)

INTRODUCED F. Ordinance O2010-19 Wastewater Discharge Local Limits

Amend the Yuma City Code, Title 19, Chapter 191, Section 191-49 and Section 191-51 governing the discharge limitations to the City's wastewater treatment system. (Utilities/Administration)

INTRODUCED G. Ordinance O2010-20 Special Election: Yuma City Charter, Article XII, Section 2, Local Preference

Delete all references to an all mail ballot Special Election on May 18, 2010 previously called by Ordinance O2010-08 and renumber the proposition to Proposition 400 in order to comply with State statutes. (City Administration/City Clerk)

VI. PUBLIC HEARINGS & RELATED ACTIONS

There are no public hearings scheduled at this time.

VII. ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Announcements:

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of February 3, 2010 through February 16, 2010. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.
- City Council report of upcoming meetings.
- City Council request for agenda items to be placed on future agendas.

2. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

SCHEDULED - FEBRUARY 23, 2010, 3PM SPECIAL WORKSESSION

REPORTED

VIII. SUMMARY OF CURRENT EVENTS

REPORTED

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

IX. EXECUTIVE SESSION

EXECUTIVE

SESSION

NOT HELD

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

ADJOURNMENT 6:01 PM

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.